

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

- against -

JOHN MELICHAREK,  
a/k/a "Rocky,"

MICHAEL IUNI,  
DOMINICK MEMOLI,  
a/k/a "Shakes,"

ANGELO NICOSIA,

LOUIS PIPOLO,

DARDIAN CELAJ,

a/k/a "Danny,"

ENED GJELAJ,

a/k/a "Neddy,"

GJELOSH KRASNIQI,

a/k/a "Jimmy,"

Defendants.

S1 07 Cr. 907 (SAS)

**NOTICE OF MOTION**

ORAL ARGUMENT  
REQUESTED

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PLEASE TAKE NOTICE that upon the annexed declaration of Martine

Beamon, the accompanying memorandum of law, and all prior pleadings and proceedings

in this action, defendant Dominick Memoli will move this Court, before the Honorable

Shira A. Scheindlin, U.S.D.J., at the United States Courthouse, 500 Pearl Street, New

York, New York, at a time and date directed by the Court for an Order:

(1) severing Counts III-VII from the remainder of the Superseding

Indictment or severing Mr. Memoli from the other defendants pursuant to Rule 8(b) or 14

of the Federal Rules of Criminal Procedure;

(2) directing the Government to comply with Defendants' discovery requests pursuant to Rules 7(f), 16, and 57(b) of the Federal Rules of Criminal Procedure; and

(3) granting such other and further relief as the Court deems just and proper.

Dated: New York, New York  
February 15, 2008

DAVIS POLK & WARDWELL

By: /s/ Martine M. Beamon  
Martine M. Beamon (MB 1687)  
Jared R. Winnick (JW 1229)

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